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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/555,921	11/04/2005	Frederick Leslie Brown	CUNANT 1716US	4319
20210	7590	08/30/2010		
DAVIS & BUJOLD, P.L.L.C. 112 PLEASANT STREET CONCORD, NH 03301				
EXAMINER				
WILLIAMS, MAURICE L				
ART UNIT		PAPER NUMBER		
3611				
MAIL DATE		DELIVERY MODE		
08/30/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Examiner-Initiated Interview Summary	Application No. 10/555,921	Applicant(s) BROWN, FREDERICK LESLIE	
	Examiner MAURICE WILLIAMS	Art Unit 3611	

All Participants: (1) MAURICE WILLIAMS. (2) Michael Bujold.

Date of Interview: 24 August 2010

Status of Application: pending (amendment received)

(3) _____. (4) _____.

Time: 3 pm

Type of Interview:
☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
 If Yes, provide a brief description: _____.

Part I.
 Rejection(s) discussed:
103(a) rejection

Claims discussed:
all

Prior art documents discussed:
Callan (US 2003/0132038)

Part II.
 SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
See Continuation Sheet

Part III.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Paul N. Dickson/
 Supervisory Patent Examiner, Art Unit 3616

/MAURICE WILLIAMS/
 Examiner, Art Unit 3611

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner explained that MPEP 2127 applies to patent applications, which are distinguished from patent publications. The case focused on in that section was decided before the advent of patent publications. Additionally, section 102e provides for 'an invention described in...an application for a patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent'. As such, the Callan reference can be applied to the rejection of the claims..